(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.2751 OF 2004

| Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order. | Court's or Judge's orders |
|---|---|

Shri H.V.Kode for the petitioner.

Shri D.S.Mhaispurkar, APP for the respondent Nos.1 to 4.

CORAM: R.M.S.KHANDEPARKAR
&
P.V.KAKADE, JJ

DATED: 1st March, 2005.

P.C.

. The learned Advocate for the petitioner states that the petitioner wants to file a private complaint, and therefore, he may be directed to withdraw the present petition with further direction to condone the delay in filing the private complaint. The question of condoning the delay in filing the private complaint does not arise. In case the petitioner approaches the Ld.Magistrate with a complaint, certainly the Ld.Magistrate has to take into consideration the fact that during this

time, the petitioner was pursuing the remedy by way of writ petition. With these observations, the petition is allowed to be withdrawn and stands disposed of accordingly.

(R.M.S.KHANDEPARKAR, J )

(P.V.KAKADE, J )